

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 GUATEMALA 002868

SIPDIS

SENSITIVE

E.O. 12958: N/A

TAGS: PHUM PGOV GT

SUBJECT: GUATEMALA: MINUGUA CLOSES ITS DOORS

REF: GUATEMALA 1447

1. (U) Summary: On November 15, MINUGUA will hold a closing ceremony in the National Palace to commemorate the end of its ten years in Guatemala. Over the last two months, the organization has released a final report and held a closing conference to evaluate the progress made in implementation of the 1996 Peace Accords. MINUGUA hailed the "drastic reduction of the military" as the greatest accomplishment of the Berger administration thus far. During his conference speech, MINUGUA Chief of Mission Tom Koenigs cited combating impunity, discrimination, and poverty as the greatest lingering challenges for the GOG. While MINUGUA closes up shop, the establishment of a new UN office in Guatemala, the OHCHR, still remains uncertain. The interim UN OHCHR (Office of the High Commission of Human Rights) office that had opened in preparation for an official mission will close November 30, to reopen only if and when the GOG and High Commissioner can arrive at agreement on the mission of such an office. End Summary.

MINUGUA's Closing Remarks

2. (U) On October 27, the Ambassador and DCM attended the opening remarks of President Oscar Berger, Tom Koenigs, and Rigoberta Menchu at MINUGUA's closing conference, "Constructing Peace: Guatemala from a comparative perspective." According to Koenigs, "eight years after their signing, the Peace Accords are alive and relevant. The most transcendental (measure) has been the dramatic reduction of the military." MINUGUA's report also commended President Berger for appointing Nobel Peace Prize Laureate Rigoberta Menchu and human rights activist Frank LaRue to the Cabinet, apologizing on behalf of the state for atrocities committed during the civil conflict, and allocating the first funds to the National Reparations Program under the direction of Rosalina Tuyuc.

3. (U) However, in health, education, and discrimination against indigenous persons, Koenigs noted that the GOG has not affected profound changes in the last eight years, and that Guatemala still faces among the greatest poverty and inequality in Latin America. MINUGUA expressed grave concerns about insecurity and impunity in prosecution of crime, as well as continued threats against human rights defenders. Finally, the report remarked that the growing tension in agrarian issues, illustrated by over 100 illegal occupations of private land by peasants and consequent government evictions, occasionally violent, of occupied land, will present another continuing challenge for the GOG.

4. (U) The conference that followed hosted panel discussions on topics ranging from the justice sector and public security to economic reforms. Following the conference, UN Under Secretary General for Political Affairs, Kieran Pendergast,

SIPDIS

will attend a series of events November 11-16, cumulating in a closing ceremony hosted by the GOG and MINUGUA on November 15.

Fate of UN OHCHR Office Uncertain

5. (U) The debate on the establishment of a local UN OHCHR office in Guatemala continues. In September, two Congressional committees issued contradictory recommendations on the ratification of the agreement between the GOG and the UN OHCHR (the Human Rights Committee voted in favor of the proposal and the Foreign Relations Committee against); the Committees presented their decisions to the plenary on November 11. Some Congressional representatives, led by FRG Deputy Antonio Arenales Forno (a former Guatemalan UN Representative in Geneva and Ambassador to the US, who serves on both the HR and FR Committees), have insisted that Guatemala should not/not be the first country to host a local UN OHCHR office under Article 4 of the General Assembly Resolution. Under this Article, the proposed office would be required to submit an annual report about its activities to the High Commissioner, who would then distribute it to member countries. Congressional deputies in the Foreign Relations Committee also object to the requirement for an official report. In consideration of the Foreign Relation Committee's

qualms, the Executive has proposed changes to the UN OHCHR on the language of the agreement.

16. (SBU) After the Portillo Administration signed an agreement with the UN OHCHR to open an office in December 2003, the High Commissioner sent a Representative to Guatemala and opened an interim office with a small staff in anticipation of the agreement's ratification (originally presented to Congress in March 2004). On November 10, Project Coordinator for the Guatemala UN OHCHR, Birgit Gerstenberg, told PolOff that this office would officially close November 30. At the Government's request, the UN OHCHR has agreed to open renegotiation of the original agreement. Guatemala UN Representative Jorge Skinner-Klee will travel to Geneva in the coming weeks to lead discussions.

17. (SBU) Comment: What the Executive must do to satisfy Congress on the UN OHCHR office is eliminate the official report, and Gerstenberg reports that the High Commissioner is not willing to take that measure. Therefore, negotiations are likely to stall unless the two sides can find some yet unidentified middle ground.

HAMILTON